

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 509 OF 2001

Namdeo Nagu Pakhare ...Appellant

Versus

The State of Maharashtra ...Respondent

.....
Shri. B.G. Tangsali, Advocate for Appellant
Smt V.R. Bhosale, A.P. P. for State.
.....

CORAM: N. V. DABHOLKAR AND
SMT. V.K. TAHILRAMANI, JJ.
DATED: 9TH JANUARY, 2006

P.C.:-

1. Heard Smt. Bhosale, the learned A.P.P. for the Respondent-State, advocate Shri. Tangsali, for the Appellant. We have on record a report dated 23.10.2005 received by Telex, addressed to the Deputy Inspector General of Prisons, Western Region, Yerwada, Pune. A copy of which is also endorsed to Registrar, Appellate Side, of this High Court, received from Superintendent of Prison, Kalamba, Kolhapur.

. The report informs that the convicted person Namdeo Nagu Pakhare, Age 52 years, resident of Jugal, Tal. Athani, Dist. Belgaum (Karnataka State), was undergoing the life imprisonment in C.R. No.96/98

relating to Sessions Case No. 45/99 under Section 302 and 309 of I.P.C. as per the sentence awarded by Sessions Judge, Sangli on 7.4.2001. From the details viz. C.R. Number, Sessions Case Number and the date of conviction, it can be ascertained that the report is pertaining to the present Appellant. It is further informed that because of illness from 15.10.2005, the present Appellant was examined by Prison Medical Officer and subsequently also referred to Government C.P.R. Hospital, Kolhapur where he expired on 27.10.2005 while under treatment.

. As required by Section 394 (2) of the Code of Criminal Procedure 1973, we do not have any application from any of the near relative of the present Appellant praying for to continue with the Appeal, consequently, the appeal abates as a result of death of appellant and is disposed of accordingly.

. Since appointed counsel is not required to conduct the appeal on merits, but has followed it up to this stage, we quantified his professional charges at Rs.1,000/-.
